

08-02-05

RCE/3622
JW

PTO/SB/30 (09-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
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 P.O. Box 1450
 Alexandria, VA 22313-1450

Application Number	09/819,965
Filing Date	March 28, 2001
First Named Inventor	Takao Yoshimine
Group Art Unit	3622
Examiner Name	Champagne, Donald
Attorney Docket Number	450100-03088

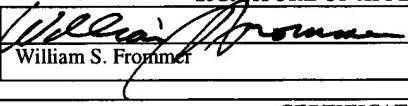
This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under CFR 1.114.** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge any additional fees, or credit any overpayments, to **Deposit Account No. 50-0320**.
 - b. Check in the amount of \$790.00 is enclosed for the following:
 - i. RCE fee required under 37 CFR 1.17(e)
 - ii. Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. Other _____
 - c. Payment by credit card (Form PTO-2038 enclosed)

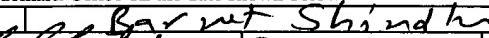
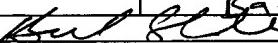
**WARNING: Information on this form may become public. Credit Card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.**

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	August 1, 2005
Name (Print/Type)	William S. Frommer	Registration No.	25,506

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)		Date:	August 1, 2005
Signature		"Express Mail" mailing label number:	EV 723370096 US

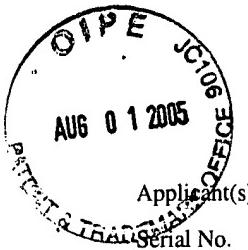
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) and application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.1 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the complete provisional application to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant(s) : Takao YOSHIMINE, et al.
 Serial No. : 09/819,965
 Filed : March 28, 2001
 For : SYSTEM AND METHOD FOR DETERMINING A REFUND FOR NETWORK CONTENT DATA HAVING ADVERTISEMENTS (AS AMENDED)
 Examiner : Champagne, Donald
 Art Unit : 3622

745 Fifth Avenue
 New York, NY 10151
 Tel: 212-588-0800

Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment in the above-identified application.

- No additional fee is required.
 The fee has been calculated as shown below.
 This is an application of a small entity under 37 CFR 1.9(f), and the amounts shown in parentheses apply.

(1)	(2) Claims remaining after amendment	(3)	(4) Highest number previously paid for	(5) Present extra	(6) Rate	(7) Additional Fee
Total claims	33	Minus	** =60	* 0 x	\$50 (25)	= \$0.00
Independent claims	3	Minus	*** =8	* 0 x	\$200 (100)	= \$0.00
Total additional fee for this amendment						\$ 0.00

* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

** If the highest number of total claims previously paid for is less than 20, write "20" in this space.

*** If the highest number of independent claims previously paid for is less than 3, write "3" in this space.

- This application contains a multiple dependent claim. The required fee of \$290(145) has been previously paid , or is paid herewith .
- This response is being filed within the _____ month following the expiration of the term originally set therefor. This is a petition to request a _____ month extension of time. A check covering the cost of the petition is enclosed.
- A check in the amount of \$_____ is attached, which covers the cost of additional claims _____ petition for extension of time.
- Charge \$_____ to Deposit Account No. 50-0320.
- Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

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Date of Deposit: August 1, 2005

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Barnet Shindler
 (Typed or printed name of person mailing paper or fee)

Barry Schlesinger
 (Signature of person mailing paper or fee)

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
 Attorneys for Applicants

By: William S. Frommer
 William S. Frommer
 Reg. No. 25,506
 Tel: 212-588-0800

U.S. Appln. No. 09/819,965
Reply to Office Action dated May 11, 2005

PATENT
450100-03088



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Takao Yoshimine, et al.
Serial No.: 09/819,965
Filed: March 28, 2001
For: SYSTEM AND METHOD FOR DETERMINING A REFUND
FOR NETWORK CONTENT DATA HAVING
ADVERTISEMENTS
Art Unit: 3622
Examiner: Champagne, Donald
Confirmation No.: 4221

745 Fifth Avenue
New York, NY 10151

<u>EXPRESS MAIL</u>	
Mailing Label Number:	EV 723370096 US
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<i>Barnett Shindler</i> (Typed or printed name of person mailing paper or fee)	
<i>Barnett Shindler</i> (Signature of person mailing paper or fee)	

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT SUBMITTED WITH
REQUEST FOR CONTINUED EXAMINATION**

Dear Sir:

This is responsive to the Final Office Action mailed on May 11, 2005,
having a three-month statutory period for response set to expire on August 11, 2005.

U.S. Appln. No. 09/819,965
Reply to Office Action dated May 11, 2005

PATENT
450100-03088

Applicants respectfully request the Examiner to amend the above-identified application as follows.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 11 of this paper.